

Electronically filed on: April 17, 2009		
RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES REQUIREMENTS	Docket No.	BERK-032
Address to: Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Confirmation No.	7712
	Application No.	10/573,796
	Filing Date	December 8, 2006
	Examiner	Vogel, Nancy Treptow
	Group Art Unit	1636
	Title	METHODS FOR IDENTIFYING A BIOSYNTHETIC PATHWAY GENE PRODUCT

Sir:

This communication is submitted in response to the Office Action mailed March 31, 2009. The Office Action set forth a one-month time period for response, making a response due on April 30, 2009. Accordingly, this response is timely filed.

I. REMARKS

The Office Action set forth a Restriction Requirement and an Election of Species requirement.

Restriction Requirement

The Office Action required election of one of the following groups of claims:

Group I: claims 1-40, 62, and 63; and

Group II: claims 41-61;

Applicants hereby elect to prosecute the claims of Group I, claims 1-40, 62, and 63.

Applicants expressly reserve the right under 35 U.S.C. §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.